

IN THE COURT OF APPEAL OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA.

- 1. Kodituwakku Kankanamge Kumarasinghe.
- 2. Kodituwakku Kankanamge Wijepala both of Matara Kade, Atura, Bulathsinghala.

Plaintiffs.

D.C. Matugama Vs.

Case No. 2053/L

Nakandalage Don Chaminda Gunawardene of Atura, Bulathsinghala.

Defendant.

NAKANDALAGE DON CHAMINDA GUNAWARDENE of Atura, Bulathsinghala.

Defendant-Appellant.

Vs.

C.A.No. /2000

- 1. KODITUWAKKU KANKANAMGE KUMARASINGHE
- 2. KODITUWAKKAU KANKANAMGE WIJEPALA both of Matara Kade, Atura, Bulathsinghala.

Plaintiff-Respondents.

2000. 11. 14
 2000. 3/05/0
 2000. 11/11/00

12000(1)

C.A. 1290/2000 (F)**D.C Matugama 2053/L**Before : Upaly Abeyrathne, J.Counsel : Daya Guruge with Sarath Weerakoon for the Plaintiff –Respondent.

Defendant- Appellant is absent and unrepresented.

Argued & Decided on : 06.02.2012.
*****Upaly Abeyrathne, J.

The Appellant has not paid the brief fees. The Registrar of this court was directed to issue notice on the Appellant under Rule 13(b) of the Supreme Court (Court of Appeal Appellate Procedure Copies of Records) Rules 1978, directing the appellant to pay the brief fees on or before 03.02.2012. Accordingly a notice under said Rules has been sent to the said appellant directing him to pay the brief fees on or before the said date. The said notice which has been sent to the said appellant has been returned by the postal authority with an endorsement that the appellant has left the given address. I have noted that the said appellant has not notified, the Registrar of this court of any change of his address. In the said circumstances I am of the view that the appellant has failed to comply with the said direction given by this court. Hence I acting under Rule 13(b) of the said Rules reject the appeal of the appellant without costs.

Registrar is directed to send the main case record to the relevant District Court with the order made by this court.

Appeal rejected

JUDGE OF THE COURT OF APPEAL

Vkg/-